

Sponsored by: Hernstadt

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2010-20**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, APPROVING A CHANGE ORDER AND AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 2 WITH CONQUEST ENGINEERING GROUP CO. FOR CONSTRUCTION OF LA PALMA ACCESS ROAD (THE ORIGINAL AMOUNT OF \$199,674.00); INCREASING THE CONTRACT AMOUNT AN ADDITIONAL \$5,157.38, AND EXTENDING THE CONTRACT TIME BY 28 DAYS TO A TOTAL OF 172 DAYS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, on July 14, 2009, pursuant to Resolution 2009-83, the City approved a contract with Conquest Engineering Group Company (“Conquest”) for the La Palma access road and utilities construction project (the “Project”); and

**WHEREAS**, due to permitting delays, Conquest has requested this change order for a twenty-eight (28) day time extension to the Project’s completion date; and

**WHEREAS**, change order 2 is a net change to the contract price of \$5,157.38.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THAT:**

**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** The City Council hereby approves Change Order #2, a copy of which is attached hereto as “Exhibit A,” together with such non-material changes as may be acceptable to the City Manager and approved as to form and legality by the City Attorney is hereby approved. The City Manager is authorized to execute the change order on behalf of the City, and expend the appropriated funds.

**Section 3.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** by the City Council of the City of Marathon, Florida, this 9<sup>th</sup> day of February, 2010.

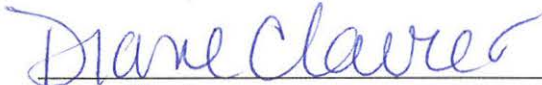
**THE CITY OF MARATHON, FLORIDA**



\_\_\_\_\_  
**Ginger Snead, Mayor**

**AYES:** Cinque, Keating, Ramsay, Worthington, Snead  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

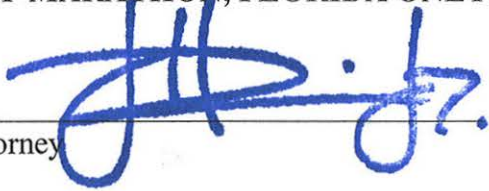
**ATTEST:**



\_\_\_\_\_  
Diane Clavier  
City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**



\_\_\_\_\_  
City Attorney

CHANGE ORDER # 2

TO: City of Marathon

**PROJECT:** LaPalma Access Road contracted dated July 30, 2009

**ENGINEER:** Weiler Engineering

**CONTRACTOR:** Conquest Engineering Group Company

**DATE:** November 24, 2009

This Change Order will authorize the following change to the Agreement:

The Work as set forth in the Agreement is hereby amended to include the items set forth on Exhibit "A" attached hereto and by this reference made a part hereof.

This Change Order constitutes full, final, and complete compensation to Conquest for all costs, expenses, overhead, and profit, and any damages of every kind that Conquest may incur in connection with the above referenced changes in the Design Work or any other effect on any of the Construction Work under this Agreement. Conquest acknowledges and agrees that (a) the Guaranteed Maximum Price of \$199,674 under the Agreement will be unchanged by this Change Order, and (b) the schedule for performance of Design Work will be changed by this Change Order. Conquest expressly waives any claims for any additional compensation, damages or time extensions in connection with the above-referenced changes. Except as herein or heretofore expressly modified, all terms of the Agreement shall remain in full force and effect and shall cover the performance of, and payment for, any work authorized hereunder. Any defined terms not defined in this Change Order shall have the meanings set forth in the Agreement.

By signing below the parties indicate acceptance of this Change Order as set forth herein.

CITY OF MARATHON

CONQUEST ENGINEERING GROUP COMPANY.

a Florida municipal corporation

By: 

By: 

Name: Roger Hernstadt

Name: RICARDO GUADARRAMA

Title: City Manager

Title: PRESIDENT

Exhibit "A"

**Exhibit "A"**

**CHANGE ORDER SUMMARY**

Change Order No. 2  
Project Title La Palma Access Road  
Bid No. N/A  
Owner: City of Marathon  
Contractor: Conquest Engineering Group Company.  
Agreement Date: January 19, 2010

This Change Order is necessary to cover changes in the work to be performed under this Agreement. The GENERAL CONDITIONS, SUPPLEMENTARY CONDITIONS, and STANDARD SPECIFICATIONS apply to and govern all work under this Change Order.

**THE FOLLOWING CHANGES ARE MADE TO THE CONTRACT DOCUMENTS:**

(1)	Original Contract Price	<u>\$199,674.00</u>
(2)	Current Contract Price (Adjusted by Previous Change Orders)	<u>\$199,674.00</u>
(3)	Total Proposed Change in Contract Price	<u>\$ 5,157.38</u>
(4)	New Contract Price (Item 2 + Item 3)	<u>\$204,831.38</u>
(5)	Original Contract Time	<u>130 Days</u>
(6)	Proposed Change in Contract Time	<u>28 Days</u>
(6)	Current Contract Time (Adjusted by Previous Change Orders)	<u>144Days</u>
(7)	Total Proposed Change in Contract Time	<u>42 Days</u>
(8)	New Contract Time (Item 6 + Item 7)	<u>172 Days</u>
(9)	Original Contract Substantial Completion Date	<u>January 22, 2010</u>
(10)	New Contract Substantial Completion Date	<u>February 19, 2010</u>

Item Narrative

Changes were made to the installed terminus of the sanitary system, a T-Turn out was added to the end of the road, and water service as requested by the FCAA. Also, the project was stopped by FDOT for resolution of permitting issues related to the driveway permit, resulting in the remobilization of the concrete crew and asphalt crews.

<b>LA PALMA ACCESS ROAD CHANGE ORDER HISTORY</b>					
<b>Item No.</b>	<b>Current Contract Amount</b>	<b>Additive Change</b>	<b>Deductive Change</b>	<b>Net Change Contract Price</b>	<b>Net Change Contract Time</b>
1.	\$199,674	\$0	\$0.00	\$0	14 Days
2	\$199,674	\$7194.88	\$2,037.50	\$5157.38	28 Days
<b>Total</b>	<b>\$204,831.38</b>	<b>\$7194.88</b>	<b>\$2,037.50</b>	<b>\$5,157.38</b>	<b>42 Days</b>